

SENATE BILL 1532

By Norris

AN ACT to amend Tennessee Code Annotated, Section 33-7-303(a), relative to outpatient evaluation following a verdict of Not Guilty by Reason of Insanity.

BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF TENNESSEE:

SECTION 1. Tennessee Code Annotated, Section 33-7-303(a) is amended by deleting subsection (a) in its entirety and by substituting instead the following:

(a)

(1) When a person charged with a criminal offense is acquitted of the charge on a verdict of not guilty by reason of insanity at the time of the commission of the offense, the criminal court shall immediately order the person to be diagnosed and evaluated on an outpatient basis. The evaluation shall be performed by the community mental health agency or licensed private practitioner designated by the commissioner to serve the court.

(2) When a person charged with a felony criminal offense under Title 39, Chapter 13, Offenses Against Person, is acquitted of the charge on a verdict of not guilty by reason of insanity at the time of the commission of the offense and when that person is detained at the time of the acquittal, the court may order that the person remain detained following the verdict of not guilty by reason of insanity, for the purpose of receiving an outpatient evaluation performed by the community mental health agency or licensed private practitioner designated by the commissioner to serve the court. In such cases, the court shall immediately enter an order to detain the person for the purpose of receiving this evaluation

and shall order that the evaluation be completed within thirty (30) days of receipt of the court order by the examining professional.

SECTION 2. This act shall take effect upon becoming law, the public welfare requiring it.